
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. James B. Clark, III
 :
 v. : Magistrate No. 19-3424 (JBC)
 :
 RICARDO GUTIERREZ-SALGADO, : **CRIMINAL COMPLAINT**
 a/k/a "Ricardo Gutierrez" :
 :

I, Christopher Granato, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am an Enforcement Officer Investigator with the United States Department of Homeland Security, United States Customs and Border Protection, and that this complaint is based on the following facts:

SEE ATTACHMENT B



Christopher Granato
Enforcement Officer Investigator
U.S. Customs and Border Protection
U.S. Department of Homeland Security

Sworn to before me and subscribed in my presence,
September 26, 2019 at Newark, New Jersey

HONORABLE JAMES B. CLARK, III
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

On a date on or after April 22, 2012, and on or before August 13, 2019, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

RICARDO GUTIERREZ-SALGADO,
a/k/a "Ricardo Gutierrez,"

being an alien, and on or about August 13, 2019, having been deported and removed and having departed from the United States while an order of deportation was outstanding, did knowingly and voluntarily enter, attempt to enter, and was found in the United States without the Attorney General or the Secretary of Homeland Security expressly consenting to the defendant's re-applying for admission to the United States prior to his re-embarkation at a place outside the United States.

In violation of Title 8, United States Code, Section 1326(a).

ATTACHMENT B

I, Christopher Granato, am an Enforcement Officer Investigator with the Department of Homeland Security, U.S. Customs and Border Protection ("CBP"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. The defendant, RICARDO GUTIERREZ-SALGADO, a/k/a "Ricardo Gutierrez," (the "Defendant"), is a citizen of Mexico, and he neither is a citizen nor a national of the United States.
2. On or about February 2, 2012, the Defendant was arrested by the United States Border Patrol ("USBP") in Arizona for illegally entering the United States. On or about the same day, the Defendant was ordered removed by USBP.
3. On or about February 4, 2012, the Defendant was removed from the United States to Mexico. Shortly before his removal from the United States on or about February 4, 2012, an official from USBP took a fingerprint from the Defendant.
4. At some point after his February 4, 2012 removal, the Defendant re-entered the United States without permission from either the Attorney General or the Secretary of Homeland Security.
5. On or about February 18, 2012, the Defendant was arrested by the USBP in Arizona for illegally re-entering the United States.
6. On or about February 21, 2012, the Defendant pled guilty in the United States District Court for the District of Arizona, Tucson Division, to Illegal Entry, in violation of Title 8, United States Code, Section 1325(a)(1) and was subsequently sentenced to approximately sixty days' in jail.
7. On or about April 22, 2012, the Defendant was removed from the United States to Mexico. Shortly before his removal from the United States on or about April 22, 2012, an official from ICE took a fingerprint from the Defendant.

8. At some point after his April 22, 2012 removal, the Defendant re-entered the United States without permission from either the Attorney General or the Secretary of Homeland Security.

9. On or about August 13, 2019, the Defendant was arrested by CBP agents at Newark Liberty International Airport in Newark, New Jersey as he attempted to leave the United States for Mexico.

10. A fingerprint taken from the Defendant pursuant to his 2012 arrest for Improper Entry by an Alien was compared to his February 4, 2012 and April 22, 2012 deportation records and the August 13, 2019 fingerprints that were taken after he entered CBP's custody. All the fingerprints were found to be identical.

11. Prior to the Defendant's reentry into the United States, neither the Attorney General nor the Secretary of Homeland Security consented to the Defendant re-entering the United States. The Defendant also did not receive a waiver allowing him to re-enter the United States.